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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10012975-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Baird, et al.	Confirmation No.:	4830
Application No.:	10/024,964	Examiner:	Simitoski, Michael
Filing Date:	12-18-01	Group Art Unit:	2134

Title: Controlling the Distribution of Information

Mail Stop Appeal Brief - Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF REPLY BRIEF

Transmitted herewith is the Reply Brief with respect to the Examiner's Answer mailed on 7-26-06 .

This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new ground rejection.)

No fee is required for filing of this Reply Brief.

If any fees are required please charge Deposit Account 08-2025.

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Respectfully submitted,

Baird, et al.

By David R. Risley

David R. Risley, Esq.

Attorney/Agent for Applicant(s)

Reg No. : 39,345

Date : 8-28-06

Telephone : (770) 933-9500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Baird, et al.

Serial No.: 10/024,964

Filed: December 18, 2001

For: **Controlling the Distribution of Information**

Group Art Unit: 2134

Examiner: Simitoski, Michael

Docket No. 10012975-1

REPLY BRIEF RESPONSIVE TO EXAMINER'S ANSWER

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Alexandria, Virginia 22313-1450

Sir:

The Examiner's Answer mailed July 26, 2006 has been carefully considered. In response thereto, please consider the following remarks.

AUTHORIZATION TO DEBIT ACCOUNT

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 08-2025.

REMARKS

The Examiner has provided in the Examiner's Answer various responses to arguments contained in Applicant's Appeal Brief. Applicant addresses selected responses in the following.

On page 4 of the Examiner's Answer, the Examiner again argues that Brown teaches "receiving a request for a document", "identifying the source of the request", and "transmitting [a] *redacted version* of the requested document to the source of the request" if the source of the request is not authorized to view the entire document. At the same time, however, the Examiner admits that, in Brown's system, a server that receives a request for a document always transmits an *unredacted version* of a document to a requesting computer, leaving it to the requestor's computer to perform any necessary redaction. *Examiner's Answer*, page 4, lines 7-11. Apparently, it is the Examiner's position that because the requestor's computer redacts portions of the document and displays the redacted version of the document on a monitor, that computer "transmits" a redacted version to the source of the request.

Applicant believes the Examiner's applied interpretation of Applicant's claims and the Brown reference is both unwarranted and unreasonable. As a first matter, the limitations of Applicant's claims are being considered in a vacuum independent of the other limitations of the claims. As is well established in the law, the Examiner must instead consider each claim <u>as a whole</u>. *Hartness International, Inc. v. Simplimatic Engineering Co.*, 819 F.2d 1100, 2 USPQ2d 1826 (Fed. Cir. 1987)(In determining obviousness, "the inquiry is not whether each element existed in the prior art, but whether the prior art made obvious the invention as a whole for which patentability is claimed"). When Applicant's claims are considered as a whole, it becomes clear that the recited "transmitting" is not merely displaying information on a monitor. Again, Applicant claims (1) receiving a request for a document, (2) identifying the source of the request, and (3)

transmitting [a] *redacted version* of the requested document to the source of the request. Clearly, when the claims are considered as a whole it is immediately apparent to the reader that the "transmitting" is performed by the entity who receives the request and identifies the source. To act as though the "transmitting" action means "transmitting" an image from a computer to its associated monitor is contrary to the meaning of the claim when interpreted as a whole.

As a further matter, Applicant submits to interpret the claimed "transmitting" as simply showing an image on a display is contrary to the plain and ordinary meaning of the term "transmit" in the computer arts and the usage of the term in Applicant's specification. The term "transmit" is ordinarily used to describe transmission of data between computing devices (servers, PCs, mobile telephones, etc.) via a network. That term, however, is not customarily used to simply identify rendering of an image on a monitor by a computer. Turning to Applicant's specification, Applicant consistently uses the term "transmit" to denote transmission between devices via a network. Applicant submits that the Examiner's unwarranted usage of the term "transmitting" reveals the Examiner's attempt to force an interpretation of Applicant's claim language to fit the Brown disclosure and manufacture a reason to reject Applicant's claims. When Applicant's claimed inventions are reasonably interpreted in view of Applicant's disclosure, it is clear that Brown does not anticipate those inventions.

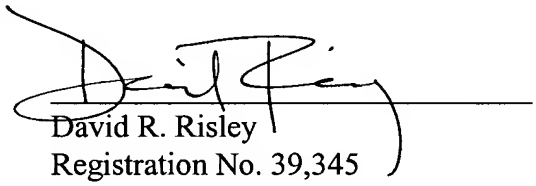
On page 5 of the Examiner's Answer, the Examiner argues that Brown actually teaches "receiving a document", "determining an authorization level required to view the complete received documents", and "determining an authorization level associated with a current user". In supporting that argument, the Examiner identifies that it is the user browser that actually redacts the document. *Examiner's Answer*, page 6. In reply, Applicant reiterates that it is Brown's *server*, not Brown's browser, that determines what authorization level is required and what

authorization level the current user has. After making those determinations, Brown's server indicates what level of access to which the current user is entitled so that the browser may simply implement the necessary measures to ensure that the unauthorized portions are not shown to the user. Therefore, Brown's "ARI plugin" of the browser *clearly does not* perform the "determining an authorization level required to view the complete received documents" and "determining an authorization level associated with a current user" explicitly recited in claim 10. Brown's browser does not need to make those determinations because they have already been made by Brown's server.

CONCLUSION

In summary, it is Applicant's position that Applicant's claims are patentable over the applied prior art references and that the rejection of these claims should be withdrawn. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicant's pending claims.

Respectfully submitted,



David R. Risley
Registration No. 39,345

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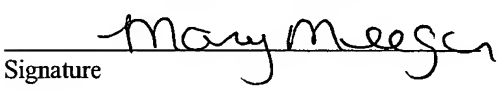

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